

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF SOUTH CAROLINA
COLUMBIA DIVISION

Ralph Quilla Woods (a/k/a Quilla Ralph)	C/A No.: 3:06-262-JFA-JRM
Woods, Ralph W. Woods formerly #71198),)	
# 200501833,)	
Petitioner,)	
vs.) ORDER DISMISSING PETITION	
)	
State of South Carolina; and Administrator,)	
Anderson County Detention Center,)	
)	
Respondents.)	
)	

This matter is before the court for review of the Magistrate Judge's Report and Recommendation ("the Report") made in accordance with 28 U.S.C. § 636(b)(1)(B) and Local Rule 73.02(B)(2) (D.S.C.).

The Magistrate Judge makes only a recommendation to the Court, to which any party may file written objections The Court is not bound by the recommendation of the magistrate judge but, instead, retains responsibility for the final determination. The Court is required to make a *de novo* determination of those portions of the report or specified findings or recommendation as to which an objection is made. However, the Court is not required to review, under a *de novo* or any other standard, the factual report and recommendation to which no objections are addressed. While the level of scrutiny entailed by the Court's review of the Report thus depends on whether or not objections have been filed, in either case, the Court is free, after review, to accept, reject, or modify any of the magistrate judge's findings or recommendations.

Wallace v. Housing Auth. of the City of Columbia, 791 F. Supp. 137, 138 (D.S.C. 1992)

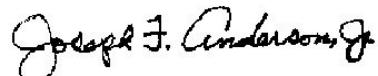
(citations omitted).

The *pro se* petitioner, Ralph Woods, is a state prisoner. He initiated this action pursuant to 28 U.S.C. § 2241 or 2254 seeking relief from potential convictions in his pending state criminal cases.

The Magistrate Judge concludes that petitioner seeks relief under § 2254. He recommends that this action be dismissed without prejudice because the petitioner has not exhausted his state remedies as required under 28 U.S.C. § 2254(b). The petitioner was advised of right to file objections to the Report and Recommendation which he has not done within the time limits set forth in the Local Rules of this district.

After a careful review of the record, the applicable law, and the Report and Recommendation, the court finds the Magistrate Judge's recommendation to be proper. Accordingly, the Report and Recommendation is incorporated herein by reference and this action is hereby dismissed without prejudice and without issuance and service of process.

IT IS SO ORDERED.



Joseph F. Anderson, Jr.
United States District Judge

May 18, 2006
Columbia, South Carolina